

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Nicholas Colucci, d/b/a EZ Line
Putters,

Plaintiff,

v.

Callaway Golf Company,

Defendant.

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Civ. No. 6:08-CV-288 (JDL)

JOINT MOTION TO DISMISS WITH PREJUDICE

Plaintiff Nicholas Colucci, d/b/a EZ Line Putters and Defendant Callaway Golf Company jointly move the Court to dismiss all claims asserted by any party with prejudice pursuant to Fed. R. Civ. P. 41(a)(2), with each party to bear its own costs and attorneys' fees.

Dated: October 8, 2010

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all parties via electronic delivery or U.S. mail this 8TH day of October, 2010.

/s/ Wesley Hill